

**LICENSING PANEL
9 MARCH 2011
10.45 AM - 1.30 PM**



Present:

Councillors Leake (Chairman), Baily and Brossard

Apologies for Absence were received from:

Councillors Virgo

Also Present:

Simon Bull, Legal Services
Sue Walker, Licensing Officer
Priya Patel, Democratic Services Officer
Paul Crawte, Applicant
Interested Party and Representative

1. Declarations of Interest

There were no declarations of interest, the Chairman informed all parties that Councillor Baily would be standing as a Panel Member in place of Councillor Virgo.

2. The Procedure for Hearings at Licensing Panels

The Chairman confirmed that all parties had noted and understood the procedures to be followed for the hearing.

3. Application to Vary a Premises Licence - The Spot Sandhurst Youth Centre, Owlsmoor Road, Sandhurst, Berkshire, GU47 OSD.

The Panel carefully considered all the information presented, both written and oral, from:

- the Licensing Officer who outlined the issues;
- the Applicant, Mr Crawte,
- the Interested Party and his representative;

together with reference to the appropriate Licensing objectives, the Council's own Licensing Policy and the Secretary of State's guidance. At the conclusion of the proceedings all participants present confirmed that they had been given the opportunity to say all they wished to say.

The Panel noted that there had been no representations made by the Police or any of the other Responsible Authorities. The Panel bore in mind the promotion of the four licensing objectives, the relevant objectives in this case being potential for noise nuisance and crime and disorder.

The Panel decided, on balance, to grant the variation to the Licence.

Reasons

The reasons for the decision are that the Panel found no documented evidence that incidents described by the Interested Party could be specifically attributed to the Applicant. The Panel noted that there had been no representations made by the Police or the Responsible Authorities.

There was no documentary evidence to suggest that the Applicant had contravened his current licence conditions. The Panel noted that the Applicant had been keen to understand the concerns of the Interested Party and to take measures to address these concerns. The Applicant had agreed, upon the request of the Interested Party, to put into place a requirement upon the hirer to submit a deposit of £75 when hiring the Youth Centre, to deter hirers from contravening licence conditions and the terms of the hire agreement.

The Panel noted the concerns raised by the Interested Party around the noise emanating from the venue particularly in the late evening. The Panel agreed that an additional condition be added that; all windows and doors be closed by 22.00 every evening to minimise any disturbance to residents living in the vicinity of the Youth Centre.

The Panel also noted that the Applicant already had in place in their policy that the Youth Centre would not accept bookings for 18 or 21st birthday parties and that generally parties were for young children or other small family or community parties. It was noted that there were other local venues in the locality that could cater for larger parties.

The Panel recognised that whilst it would be beneficial to have a dedicated supervisor to open, lock up and monitor any issues around the venue, as proposed by the Interested Party, that this was not allegedly a financially viable option for the Applicant as the Centre was hired as a low cost community venue.

If any of the feared breaches occur in the future they can be responded to by any interested party living or working in the vicinity of the premises, or any of the statutory bodies calling for a review of the premises licence.

In summary, the Panel granted the variation to the licence to extend the hours that the Youth Centre was open to the public to 9.00 until 23.00 Sunday to Saturday, to include performance of plays, exhibition of films, indoor sporting events and facilities dancing and anything of a similar description. In accordance with amended conditions outlined in the agenda papers and the additional condition that; all windows and doors be closed by 22.00 and thereafter every evening. The amended conditions would also include all of condition 23 of the amended conditions at Annex G of the agenda papers, including part d) circulated separately at the hearing.

CHAIRMAN